App. F. IX-4

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193 .
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P. P.

File No. 29-40
Serial Nos. 3

Previous References

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Later References.

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GENERAL AND REVENUE SECRETARIAT.

Serial Nos. one only

Part B for May 1941

SUBJECT.

Acquisition of residential and non-residential property in British India by Ruling Princes and Chiefs, their near relatives and the notables of their States.

R.D. 653-40. Dt 28.5.41.

WD 0573—GPB—22,500—12-9-39

Forwards a copy of the rules framed by the Govt of Bombay on the above subject.

C. G. Vajramani
6/6/41

6849/8.

Acquisition of residential and non-residential property in British India by Ruling Princes and Chiefs.

General and Revenue Secretariat | PP File No. 29 of 1940. | [App. F. III-2

EVE N'S OFFICE
MAY 19
8182

Serial No.	
3.	From The Dy Sy to the Hon'ble the Resident RF 653-40/8d & 28th Ms. 41 forwarding a copy of the rules framed by the Govt of Bombay re the acquisition of residential property by Ruling Princes. The rules framed by the Govts of Madras and Bengal regarding the acquisition of residential or non-residential property in those Provinces, received with Resy Letter d 13th Decr. 40, were submitted for the gracious perusal of His Highness the Maharaja. Subd with a D.S.N for consideration PS 29/5 BXR 30.5.41 Chief Secy) Dewan) 115 30/5/41 BXR 31.5.41

7

B

NOTE—Contn. Sheet.

Submitted to His Highness.

E I submit herewith, for the gracious perusal of His Highness, a letter of the 28th May 1941 from the Residency forwarding a copy of the rules framed by the Government of Bombay regarding the acquisition by Ruling Princes and Chiefs of residential and non-residential property and requesting that the rules may be observed in the event of the Government of Mysore acquiring residential or non-residential property in that Province.

N Madhava Rau

Mysore,
1st June 1941.

DEWAN.

Record of Cases submitted for the Orders of His Highness the Maharaja.

Subject.

Residency letter forwarding a copy of the rules framed by the Government of Bombay regarding the acquisition by Ruling Princes and Chiefs of residential and non-residential property in the Province of Bombay.

Order.

VRW
2/6/41.

840.

6840/P

General and Revenue Secretariat.

N.S.240.

SUBJECT:—

Residency letter forwarding a copy of the rules framed by the Govt of Bombay regarding the acquisition by Ruling princes and chiefs of residential and non-residential property in the Province of Bombay.

(*)

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at Headquarters and then sent to the Secretariat concerned for the issue of orders.

Circulated to Members of Council for perusal of His Highness' orders ~~before/after issue of orders~~. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.) (*)

Chief Secretary to Government.

Through the Secretary to Government,

.....Department.

FIRST MEMBER OF COUNCIL.

12661/6.6.41

SECOND MEMBER OF COUNCIL.

12584/6/6

MINISTER FOR LAW. 6/6 6-6-41

8/8.6.41

MINISTER FOR EDUCATION.

51/9.6.41

MINISTER FOR LOCAL SELF GOVT. & PUBLIC HEALTH. 8.6.41

NOTE.--Contn. sheet

WD 02010—GPB—250—19-3-41
P.P.Section.

9.6.41

6840/40 p40

The reply to this communication should be addressed to the Secretary to the Resident in Mysore, Bangalore, by designation and not by name.

No. R.F.653-40/Pol.

Pol. 2931

FROM

THE SECRETARY
TO THE HON'BLE THE RESIDENT IN MYSORE.

To

PP 29-4-3

The Chief Secretary to the Government of
His Highness the Maharaja of Mysore.

P.P. 28/5/41

Dated Bangalore, the 28th May *1941.*

Acquisition of residential and non-residential property in British India by Ruling Princes and Chiefs, their near relatives and the notables of their States.

SIR,

F

In continuation of my letter No.R.F.653-40/Pol., dated the 13th December 1940, I am directed to forward a copy of the rules framed by the Government of Bombay on the above subject and to request that the rules may kindly be observed in the event of the Government of Mysore acquiring residential or non-residential property in that Province.

I have the honour to be,
Sir,
Your most obedient servant,

for ~~SECRETARY~~ TO THE RESIDENT.

KJ

BOMBAY.

RULES FRAMED BY THE GOVERNMENT OF BOMBAY GOVERNING THE ACQUISITION OF RESIDENTIAL AND NON-RESIDENTIAL PROPERTY IN BOMBAY BY RULING PRINCES AND CHIEFS.

RESIDENTIAL.

I. *Acquisition of residential property in certain towns and hill stations.*—The previous consent of the Government of Bombay is required for the acquisition of residential property by Ruling Princes and Chiefs, their near relatives or the notables of their States, in Bombay and Poona and the following hill stations :—

Mahableshwar.

Matheran.

Such consent will, however, be subject in all cases to certain conditions. The following will always be required :—

(i) No transfer of the property will be effected nor any incumbrance on it created without the previous consent of the Government of Bombay.

(ii) A responsible Agent will be appointed in the locality in which the property is situated, to answer the authorities in case of need ;

(iii) The property will not be used without the previous consent of the Government of Bombay for purposes other than residential ; and

(iv) The property where acquired by a Prince or Chief will be acquired as State property and not as personal property.

The Government of Bombay understands that Ruling Princes and Chiefs sometimes find it to their advantage to acquire *benami*. It has no objection to this method of acquisition, provided that its previous consent is obtained, and provided also that once the transaction is completed the Ruling Prince or Chief steps into his real position.

The above procedure does not extend to the prevention of the acquisition of residential property by bequest or succession. The question whether the individual beneficiary should be desired to divest himself of his proprietary rights in the property and, if so, in what manner and within what period, will be a matter for decision in each case with reference to the particular circumstances.

II. *Acquisition of residential property in the Province of Bombay in general.*—The Government of Bombay has no objection to the acquisition by Ruling Princes and Chiefs, their near relatives or notables of their States, whether by purchase, mortgage or lease of immovable property for residential purposes in any part of this Province other than the towns and hill stations named above, provided that previous intimation of the intention to acquire such property is given to it and that conditions (i) to (iv) of clause I are recognised and accepted.

NON-RESIDENTIAL.

III. *Acquisition of non-residential property in the Province of Bombay in general.*—1. (1) A Ruling Prince or Chief or the heir-apparent of such Ruling Prince or Chief may acquire non-residential property (*i.e.*, any immovable property or interest in immovable property which is not required for the residence of a Ruling Prince or Chief or his heir-apparent) in this Province either in his own name or in the name of any other person only with the consent of the Government of Bombay. Such consent should ordinarily be obtained before the acquisition ; but when this course is impracticable the consent should be obtained within a reasonable time after the acquisition.

(2) A Ruling Prince or Chief or the heir-apparent of such Ruling Prince or Chief desiring to transfer by way of mortgage any such property in this Province should obtain the previous consent of the Government of Bombay.